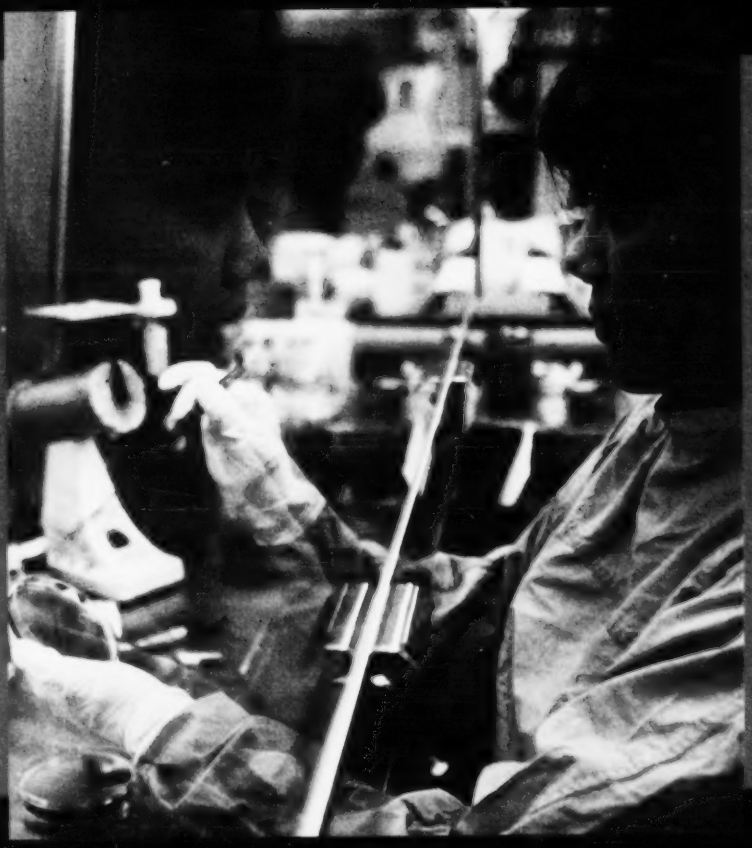
Extending Workers Compensation to Related Industries



SAFE WORK

S SPOT THE HAZARD
A ASSESS THE RISK
F FIND A SAFER WAY
E EVERYDAY

WCB
Workers Compensation
Board of Manitoba

LETTER TO THE MINISTER

June 28, 2006

The Honourable Nancy Allan
Minister Responsible for *The Workers Compensation Act*
Room 317, Legislative Building
Winnipeg, Manitoba
R3C OV8

Dear Minister:

On behalf of the Board of Directors of the Workers Compensation Board of Manitoba, I am pleased to present this summary report on the submissions received during the recent consultation on extending coverage to related industries.

Respectfully submitted,

Tom J. Farrell
Chairperson

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Executive Summary

Approximately 70 percent of the Manitoba workforce is currently covered by workers compensation. According to data produced by the Association of Workers Compensation Boards of Canada, the level of compulsory coverage in Manitoba is the lowest in Canada.

The Government of Manitoba held a public review of *The Workers Compensation Act* in 2004. In its report, *Working for Manitoba: Workers Compensation for the Twenty-First Century,* the Legislative Review Committee recommended that WCB coverage of workplaces should be extended after consultation with affected industries by the WCB.

The Government of Manitoba has made a public commitment to extending coverage, beginning with those industries "where it makes the most sense, such as outside window washers and those in medical testing laboratories," and only after the WCB has consulted with affected industries.*

As a result of this commitment by the Government of Manitoba, the Workers Compensation Board of Manitoba (WCB) has been given a mandate to consult with employers, workers and their representatives on the question of extending coverage to currently excluded industries.

The subsequent consultation asked stakeholders whether related industries should be added to the workers compensation insurance program. Related industries are those in which the predominant type of work, the nature of occupations within the industry, the skills and qualifications of their workers, the kinds of hazards to which workers are exposed, and the kinds of injuries and illnesses workers suffer are similar to those of a currently compulsory industry. An extensive review of Canadian workers compensation boards shows that the vast majority of related industries are covered in the rest of Canada.

This consultation was held in the winter of 2005-06, with materials being mailed to stakeholders in November 2005 and submissions requested by February 28, 2006. Public information sessions were held in Winnipeg, Brandon and Thompson to provide stakeholders from target industries with information and an opportunity to ask questions and express concerns prior to their making written submissions. Some attendees had questions regarding the relatedness of target industries and others had questions regarding the nature of WCB benefits to workers and employers, or had been ill-informed as to the nature of these benefits. In these instances, WCB officials were able to address these questions to the satisfaction of the individuals.

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* Government of Manitoba News Release, "Manitoba Workers Compensation Act Modernization Proposed," 12 April 2005.

This consultation targeted approximately 5,200 employers, as many as twenty-five percent of whom already have voluntary coverage, and about 31,200 workers who currently have no WCB coverage. If the Government extends compulsory coverage to all industries in this group, it would result in approximately 75% of the Manitoba workforce being covered by workers compensation.

Extending compulsory coverage to related industries would fill gaps in the current compensation scheme and reduce, as much as practically possible, any competitive disadvantage experienced by currently compulsory employers. In addition, extending coverage to related industries would protect more workers who suffer workplace injuries and illnesses and help prevent them from moving in and out of coverage as they move between similar jobs.

How much an employer pays in premiums depends on the risk level of its industry and its own claims experience. The majority of employers contacted during this consultation would, if brought under compulsory coverage, be assigned an assessment rate of less than $1.00 for every $100 of assessable payroll.

Extending compulsory coverage is an important issue among Manitoba's labour and employer organizations. Eight thousand consultation packages were sent to stakeholders across Manitoba, and 62 submissions were received. The WCB received submissions from employers in twelve of the twenty-three affected industries.

Labour associations view the current level of coverage as incomplete and support the extension of coverage to every worker in Manitoba. Employers and associations representing employers generally favour retaining voluntary coverage for currently non-compulsory industries.

Background

The Workers Compensation System

Workers compensation is a comprehensive system of no-fault insurance for workplace injury and disease. It is administered by the Workers Compensation Board, a not-for-profit, independent agency governed by a Board of Directors representing employers, workers and the public interest, at arm's-length from government.

Covered employers receive both liability and disability insurance. That is, employers and directors of firms with WCB coverage cannot be sued by a covered worker in relation to a compensable injury in Manitoba, and workers receive wage replacement and other benefits as a result of a compensable injury. Liability insurance and disability insurance are two separate products if purchased from a private company. Coverage cannot be denied or suspended for any employer in a compulsory industry.

Workers receive no-fault compensation in the event of a workplace injury or illness. Wage-loss benefits are paid at 90% of the worker's net average earnings and begin the day after the injury or the onset of the illness. Workers are entitled to a broad range of medical benefits such as prescription drugs, physiotherapy and chiropractic treatment, travel expenses, attendant care, and many other benefits not provided by Manitoba Health. There are no deductibles, nor do benefits depend on co-insurance. Those with permanent impairments are entitled to lump-sum awards in addition to wage-loss benefits. Workers who are unable to return to their regular work may receive academic, vocational or rehabilitative assistance. Coverage is automatically in place for workers in covered industries, regardless of whether their employer has paid premiums. These benefits are provided at no cost to workers.

The program is completely funded by assessment premiums collected from Manitoba employers and income earned from the WCB's investment portfolio. In return for funding the system, employers cannot be sued by injured workers for pain and suffering or lost income. Neither the provincial nor federal government provides funding through tax dollars.

Employers working in compulsory industries are required to register for workers compensation coverage and pay the associated premiums. Coverage under workers compensation is by industry, not occupation. For example, all workers in the construction industry are covered by workers compensation. That includes not only workers engaged in construction activities, but employers' office workers, as well. This is the model generally in place in all workers compensation programs throughout North America, with very minor variations.

The Current Level of Coverage

Approximately 70% of the Manitoba workforce is currently covered by workers compensation. According to data produced by the Association of Workers Compensation Boards of Canada, the level of compulsory coverage in Manitoba is the lowest in Canada. The level of coverage in Manitoba has long been of interest to the Workers Compensation Board of Manitoba (WCB) and its stakeholders.

The Government of Manitoba held a public review of *The Workers Compensation Act* in 2004. In its report, *Working for Manitoba: Workers Compensation for the Twenty-First Century,* the Legislative Review Committee recommended that WCB coverage of workplaces should be extended after consultation with affected industries by the WCB.

As a result of this review, the Act was amended. Bill 25, *The Workers Compensation Amendment Act*, was passed unanimously by the Legislature on June 9, 2005. The amended Act does not change the level of compulsory coverage. However, instead of listing industries that must have coverage, it now lists only those that are not compulsory.

In addition, the amended Act states that any expansion of coverage will take place only after consultation with stakeholders in affected industries and that this consultation must be undertaken by the Workers Compensation Board and reported to the Minister.

The Government of Manitoba has made a public commitment to extending coverage, beginning with those industries "where it makes the most sense, such as outside window washers and those in medical testing laboratories," and only after the WCB has consulted with affected industries.*

The WCB Board of Directors has begun the process of consulting with stakeholders on the addition of related industries to the workers compensation insurance program. Related industries are those in which the predominant type of work, the nature of occupations within the industry, the skills and qualifications of their workers, the kinds of hazards to which workers are exposed, and the kinds of injuries and illnesses workers suffer are similar to those of a currently compulsory industry. The step of extending compulsory coverage to related industries would fill gaps in the current compensation scheme before moving on to consider other currently non-compulsory employers and workers.

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* Government of Manitoba News Release, "Manitoba Workers Compensation Act Modernization Proposed," 12 April 2005.

Examples of industries sharing similar risks and types of work include the following:

- An employer in the landscaping industry is not required to cover its workers nor pay WCB premiums. At the same time, an employer in the construction industry must cover its workers and pay WCB premiums. Yet, both landscaping and construction workers are often present on the same worksite, doing similar work, at the same time.
- Certain clubs (e.g., the Royal Canadian Legions) are non-compulsory, yet bars and restaurants are compulsory. Workers at these establishments all perform essentially similar tasks and are exposed to essentially similar risks.
- The inside cleaning of windows is a compulsory industry, but the outside cleaning of windows is considered non-compulsory. Both groups of workers are exposed to risks, yet, coverage is not extended to them all.

Related Industries: Key Statistics

The following table lists the industries that were consulted during this consultation, grouping them by the industry sectors already used by the WCB for rate-setting purposes. The table indicates the number of employers in each industry who had taken out voluntary coverage as of January 1, 2006, and estimates the number of employers and workers in each industry who are currently without WCB coverage.

The number of employers and workers given is not intended to be precise. They are provided to give a general estimate of the relative size of these industries and of the impact of extending coverage to them.

Table 1: Key Statistics*

Industry	Workers without WCB Coverage	Employers without WCB Coverage	Employers with Voluntary Coverage (2006)
Mines, Quarries and Oil Wells			
Exploration, Survey & Prospecting	15	2	46
Manufacturing			
Mushroom Plants	0	0	1
Taxidermy	106	22	3
Testing Labs	1,280	38	12
Construction			
Land Surveying	212	4	11
Landscaping Activities	850	206	194
Operation of Buildings/Property Management, Churches**	4,090	62	438

* Data on the number of employers and workers who do not have WCB coverage was obtained from *Manitoba Business-to-Business Sales and Marketing Directory*, 2005-2006 ed. (Mississauga: InfoCanada, 2005).

** In this report, religious organizations are counted by denomination, not by individual churches, temples or synagogues.

Industry	Workers without WCB Coverage	Employers without WCB Coverage	Employers with Voluntary Coverage (2006)
Window Cleaning (Exterior)	60	5	15
Transportation			
Aviation/Flying	620	53	47
Driving Schools	160	49	1
Freight, Shipping, Custom Brokers	850	98	2
Motor Associations	180	Not available	0
Trade			
Car and Truck Rental	1,370	40	10
Mail Order/ Catalogue/Direct Sales	270	49	1
Marketing, Advertising and Media Representatives, Brokers, Sales Agents, Manufacturing Reps.	1,755	92	8
Opticians, Optometrists – Dispensing	840	95	5
Video Stores	950	141	9
Service Industries			
Bowling, Billiards, Arcades, Lotteries/Casinos	1,280	299	21
Cemeteries	300	36	14
Medical and Dental Services	9,310	2,177	23
Medical Labs, X-rays	1,200	41	9
Operation of Day Camps, Playgrounds and Trailer Parks	2,180	96	54
Private and Community Clubs, Rinks, etc.	3,280	348	302
Total	**31,158**	**3,953**	**1,226**

Related Industries: Jurisdictional Comparison of Compulsory Coverage

The following table indicates the status of each related industry, broken down into sub-industries when applicable, with respect to coverage in other Canadian jurisdictions.

Table 2: Related Industries, Jurisdictional Comparison of Compulsory Coverage

Industry	Jurisdiction											
	AB	BC	MB	NB	NL	NT	NS	ON	PE	QC	SK	YK
Exploration, Survey & Prospecting												
Mines, Exploration	■	■		■	■	■	■	■	■	■	■	■
Oil & Gas Exploration	■	■		■	■	■	■	■	■	■	■	■
Oil Well Surveying	■	■		■	■	■	■	■	■	■	■	■
Mineral, GPS, Seismic & Hydrographic Surveying	■	■		■	■	■		■	■	■	■	■
Mineral Exploration	■	■		■	■	■	■	■	■	■	■	■
Mushroom Plants		■		■	■	■	■	■	■	■	■	■
Taxidermy	■	■		■	■	■			■	■	■	■
Testing Labs												
Nuclear Energy Laboratories		■		■	■	■		[1]	■	■	■	■
Research & Development Laboratories		■		■	■	■		■	■	■	■	■
Agricultural Research/Laboratories		■		■	■	■			■	■	■	■
Biochemical Laboratories		■		■	■	■			■	■	■	■
Biologists (Non-Medical)		■		■	■	■		■	■	■	■	■
Geological Laboratories		■		■	■	■		[1]	■	■	■	■
Pressure Testing		■		■	■	■		■	■	■	■	■
Land Surveyors	■	■		■	■	■		■	■	■	■	■
Landscaping Activities												
Landscape Designers		■		■	■	■		[1]	■	■	■	■
Landscape Contractors	■	■		■	■	■	■	■	■	■	■	■
Lawn & Grounds Maintenance	■	■		■	■	■	■	■	■	■	■	■
Tree Services/Arborists	■	■		■	■	■	■	■	■	■	■	■
Sod & Sodding Services; Hydro seeding	■	■		■	■	■	■	■[2]	■	■	■	■

Industry	Jurisdiction											
	AB	BC	MB	NB	NL	NT	NS	ON	PE	QC	SK	YK
Operation of Buildings/Property Management, Churches												
Banquet Rooms	■	■		■	■	■		■	■	■	■	■
Condominiums		■		■	■	■			■	■	■	■
Apartments		■		■	■	■		■	■	■	■	■
Halls & Auditoriums	■	■		■	■	■		■	■	■	■	■
Office Buildings	■	■		■	■	■		■	■	■	■	■
Religious Organizations		■		■	■	■			■	■	■	■
Facilities Management/Support	■	■		■	■	■			■	■	■	■
Housing - Rental		■		■	■	■		■	■	■	■	■
Window Cleaning (Exterior)	■	■		■	■	■	■	■	■	■	■	■
Aviation/Flying												
Airline Companies	■	■		■	■	■	■	■	■	■	■[3]	■
Air Cargo Service	■	■		■	■	■	■	■	■	■	■[3]	■
Helicopter Charter	■	■		■	■	■	■	[1]	■	■	■[3]	■
Air Ambulance Service	■	■		■	■	■	■	■	■	■	■[3]	■
Hang Gliding	■	■		■	■	■			■	■	■[3]	■
Aerial Advertising	■	■		■	■	■		■	■	■	■[3]	■
Aerial Photography	■	■		■	■	■		■	■	■	■[3]	■
Flying Clubs	■	■		■	■	■		■	■	■	■[3]	■
Balloons – Manned	■	■		■	■	■			■	■	■[3]	■
Skydiving & Parachute Jumping	■	■		■	■	■			■	■	■[3]	■
Aircraft Schools	■	■		■	■	■		■	■	■	■	■
Aerial Surveying	■	■		■	■	■		■	■	■	■[3]	■
Driving Schools												
Driving Instruction	■	■		■	■	■			■	■	■	■
Semi-Truck Driving Instruction	■	■		■	■	■			■	■	■	■
Motorcycle Instruction	■	■		■	■	■			■	■	■	■
Freight, Shipping, Custom Brokers												
Freight Consolidating		■		■	■	■	■	■	■	■	■	■
Freight Forwarding		■		■	■	■	■	■	■	■	■	■
Customs Consulting & Brokerage		■		■	■	■	■		■	■	■	■
Freight Brokers & Agents		■		■	■	■	■	■	■	■	■	■
Motor Associations		■		■	■	■	■	■	■	■	■	■
Automobile Rental												
Car and Truck Rental	■	■		■	■	■	■	■	■	■	■	■

Industry	Jurisdiction											
	AB	BC	MB	NB	NL	NT	NS	ON	PE	QC	SK	YK
Recreational Vehicle Rentals	■	■		■	■	■	■	■	■	■	■	■
Mobile Office Renting	■	■		■	■	■	■	■	■	■	■	■
Mail Order/Catalogue/Direct Sales												
Catalogue Showrooms		■		■	■	■		■	■	■	■	■
Mail Order & Catalogue Shopping		■		■	■	■		■	■	■	■	■
Internet Commerce		■		■	■	■		[1]	■	■	■	■
Marketing, Advertising and Media Representatives, Brokers, Sales Agents, Manufacturing Representatives												
Advertising Agencies		■		■	■	■		■	■	■	■	■
Publication Consulting		■		■	■	■		[1]	■	■	■	■
Media Brokerage		■		■	■	■			■	■	■	■
Distributing Services		■		■	■	■			■	■	■	■
Publicity Services		■		■	■	■			■	■	■	■
Advertising – All Media		■		■	■	■		■	■	■	■	■
Brokers/Sales Agents Representatives		■		■	■	■			■	■		■
Opticians, Optometrists – Dispensing												
Dispensing Opticians	■	■		■	■	■	■	■	■	■	■	■
Optometrists		■		■	■	■		[4]	■	■	■	■
Video Stores	■	■		■	■	■	■	■	■	■	■	■
Bowling, Billiards, Arcades, Lottery Booths, Casinos												
Bowling Centers		■		■	■	■		[5]	■	■	■	■
Casinos	■	■		■	■	■	■	[5]	■	■	■	■
Arcades	■	■		■	■	■			■	■	■	■
Bingo Halls	■	■		■	■	■			■	■	■	■
Video Game rooms	■	■		■	■	■			■	■	■	■
Billiard Parlors		■		■	■	■	■		■	■	■	■
Cemeteries	■	■		■	■	■	■		■	■	■	■
Medical and Dental Services												
Physicians & Surgeons		■		■	■	■			■	■	■	■
Dentists		■		■	■	■			■	■	■	■
Chiropractors		■		■	■	■			■	■	■	■
Podiatrists		■		■	■	■			■	■	■	■
Naturopathic Physicians		■		■	■	■			■	■	■	■
Midwives		■		■	■	■	■		■	■	■	■
Nurse Practitioners		■		■	■	■	■		■	■	■	■
Audiologists		■		■	■	■	■		■	■	■	■
Acupuncturists		■		■	■	■	■		■	■	■	■
Paramedical Services		■		■	■	■	■	[1]	■	■	■	■
Dietitians		■		■	■	■	■		■	■	■	■

Industry	Jurisdiction											
	AB	BC	MB	NB	NL	NT	NS	ON	PE	QC	SK	YK
Speech & Hearing Therapists		■		■	■	■			■	■	■	■
Psychotherapists/ Psychoanalysts		■		■	■	■			■	■	■	■
Physiotherapists		■		■	■	■			■	■	■	■
Laser Surgeons		■		■	■	■		[1]	■	■	■	■
Medical Labs, X-rays												
Medical Testing Labs		■		■	■	■	■	■	■	■	■	■
X-ray Labs (Medical or Dental)		■		■	■	■	■	■	■	■	■	■
Blood/Organ/Tissue/ Sperm Banks		■		■	■	■	■	■	■	■	■	■
MRI/CAT Labs		■		■	■	■	■	■	■	■	■	■
Microbiology Labs		■		■	■	■	■	■	■	■	■	■
Operation of Day Camps, Playgrounds and Trailer Parks												
Mobile Home Parks & Communities	■	■		■	■	■		■	■	■	■	■
Campgrounds	■	■		■	■	■	■	■	■	■	■	■
Baseball Batting Ranges		■		■	■	■			■	■	■	■
Mini-Golf Courses		■		■	■	■			■	■	■	■
Paint Ball Sports		■		■	■	■			■	■	■	■
Picnic Grounds	■	■		■	■	■			■	■	■	■
Playgrounds		■		■	■	■			■	■	■	■
Golfing Ranges		■		■	■	■			■	■	■	■
Private and Community Clubs, Rinks, etc.												
Public & Private Skating/Hockey Rinks/Clubs		■		■	■	■			■[6]	■	■	■
Archery Instruction/Ranges		■		■	■	■			■	■	■	■
Golf Clubs/Courses, Instruction		■		■	■	■			■	■	■	■
Gun Clubs/Ranges		■		■	■	■			■	■	■	■
Sports Clubs/Facilities, Instruction[7]		■		■	■	■			■	■	■	■
Model Car Racing Centres		■		■	■	■			■	■	■	■
Bridge/Backgammon/ Poker/Chess Clubs/Instruction		■		■	■	■		[1]	■	■	■	■
Swimming Pools		■		■	■	■			■	■	■	■

Industry	Jurisdiction											
	AB	BC	MB	NB	NL	NT	NS	ON	PE	QC	SK	YK
Skateboard Parks & Rinks		■		■	■	■			■	■	■	■
Recreation Clubs/Facilities		■		■	■	■			■	■	■	■
Dance Clubs, Instruction		■		■	■	■			■	■	■	■
Curling Clubs, Rinks		■		■	■	■			■	■	■	■

Notes to Table 2:

[1] These industries are not referenced in Ontario's classification system.
[2] This industry is compulsory when part of lawn and garden maintenance.
[3] These industries are voluntary when the employer does not have a place of business in Saskatchewan and is not licensed by the Canadian Transport Commission.
[4] Dispensing optometrists are compulsory.
[5] Public restaurants within these establishments are compulsory.
[6] Sports teams are excluded.
[7] Sporting professionals are excluded in PEI. Sports instructors in professional sports organizations are excluded in Saskatchewan. Professional athletes are excluded in Québec. Sports professionals are excluded in New Brunswick.

Note: Because one agency administers workers compensation in the Northwest Territories and Nunavut, these jurisdictions are grouped together.

Related Industries: Example Assessments

How much an employer pays in premiums depends on the risk level of its industry and its own claims experience.

The average assessment rate in 2006 was $1.68 for every $100 of assessable payroll. The assessment rate for each industry varies, depending on its experience: industries with fewer hazards and a lower risk of injury will pay lower assessments than those with more hazards and a greater risk of injury. For example, high-risk industries such as construction pay more than low risk industries such as retail, but a high-risk construction company will pay as much as five times more in assessments than a low-risk construction company.

The following examples are intended to give a sense of the assessments employers contacted during this consultation might pay if they are brought under compulsory coverage. These examples are based on 2006 assessment rates and the weighted average assessment rate for each industry.

- A private medical office with an annual payroll of $350,000 would pay, based on a rate of $0.26* for every $100 of assessable payroll, $910.00 in WCB premiums.
- An operator of a private club with an annual payroll of $135,000 would pay, based on a rate of $0.61* for every $100 of assessable payroll, $823.50 in WCB premiums.
- A window washer with an annual payroll of $50,000 would pay, based on a rate of $6.39* for every $100 of assessable payroll, $3,195.00 in WCB premiums.

Rates for 2007 will be calculated in November 2006 and may vary from the 2006 rates. However, the majority of the employers contacted during this consultation would, if brought under compulsory coverage, be charged less than $1.00 for every $100 of assessable payroll.

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* These are the weighted average rates for these industries.

The Consultation: Extending Workers Compensation to Related Industries

This consultation on extending compulsory coverage targeted currently excluded industries which are similar in risk and type of work as compulsory industries. This consultation considers the relatedness of currently non-compulsory and compulsory industries, as well as the level of risk experienced by workers in those industries. Related industries include workplaces whose workers are exposed to the same workplace hazards and experience the same kinds of injuries and illnesses as workers in currently covered industries.

Extending compulsory coverage to these industries would fill gaps in the current compensation scheme and reduce, as much as practically possible, some competitive disadvantage experienced by currently compulsory employers. In addition, extending coverage to related industries would protect more workers who suffer workplace injuries and illnesses and help prevent them from moving in and out of coverage as they move between similar jobs. (An individual who works in construction and then takes a landscaping job is an example of someone who performs the same tasks, but moves in and out of coverage.)

This consultation targeted approximately 5,200 employers, as many as twenty-five percent of whom already have voluntary coverage, and about 31,200 workers who currently have no WCB coverage. If the Government extends compulsory coverage to all industries in this group, it would result in approximately 75% of the Manitoba workforce being covered by workers compensation.

The consultation was held in the winter of 2005-06, with materials being mailed to stakeholders in November 2005 and submissions originally requested of stakeholders by January 31, 2006. This date was later extended to February 28, 2006.

Public information sessions were held in Winnipeg, Brandon and Thompson to provide information on the workers compensation system (i.e., the benefits available to injured or ill workers, how the program is funded, how the process works, etc.). The purpose of these sessions was to provide stakeholders from target industries with information and an opportunity to ask questions and express concerns prior to their making written submissions.

Afternoon and evening meetings were held in:

- Thompson, November 28, 2005;
- Winnipeg, December 1, 2005;
- Brandon, December 5, 2005;
- Winnipeg, December 8, 2005; and
- Winnipeg, January 11, 2006.

Several individuals who attended public information sessions had questions regarding the relatedness of target industries. Others had questions regarding the nature of WCB benefits to workers and employers, or had been ill-informed as to the nature of these benefits. In these instances, WCB officials were able to address these questions to the satisfaction of the individuals.

Information regarding the consultation was posted on the WCB website and communicated to the news media.

Methodology

The WCB, as a first step, developed a list of currently non-compulsory employers in industries which are similar in risk and type of work as compulsory industries. These industries were identified by studying the predominant type of work and the nature of occupations within the industry, the kinds of hazards to which workers are exposed, and the kinds of injuries and illnesses workers suffer.

The WCB prepared a consultation document that provided background information on workers compensation and asked the following questions:

1. What do you think? Do you have any comments about coverage being expanded to related industries, as discussed in this document? We want to hear about them.

2. Do you have any comments about coverage being expanded to your industry?

3. The WCB wants to ensure that covered industries do not receive an unfair cost disadvantage. If compulsory coverage is extended to your industry, are there other industries to which coverage should also be extended?

4. Are there practical operational issues (e.g., budget cycles, discontinuing or modifying current disability or liability policies, developing infrastructure to manage workers compensation claims) that should be noted when considering when to extend coverage to related industries?

5. If you already have WCB coverage – either mandatory or voluntary – we want to hear your ideas about how we can make working with us easier.

The consultation document was sent to all employers in the target group and to a broad range of employer and labour associations representing all employers and workers.

With respect to the first question, labour associations indicated that they wished to see compulsory coverage extended to all Manitoba workers. Employers and employer associations indicated to which industries they believed compulsory coverage should be extended, and usually provided their rationale.

Most individual employers replied only to the second question. Most supported the retention of voluntary coverage.

Most respondents did not reply to the third, fourth or fifth consultation questions.

Along with the consultation document, each recipient received a list of related industries presented as a table. The table was provided to illustrate the nature of currently non-compulsory, but related, industries.

Summary of Submissions

The WCB received a total of sixty-two responses during the consultation on coverage: two from labour associations, forty-three from individual employers, thirteen from employer associations (one of which made two separate submissions), three from workers and one from a worker advocate. Four of these submissions did not address the topic of the consultation and are not summarized here.

Mines, Quarries and Oil Well Sector

Exploration, Surveying and Prospecting

- This industry includes geological, geophysical exploration or prospecting for mining, gas or oil wells, and seismic exploration, line cutting, and archaeological exploration.

- These activities are integral to the mining, oil, and natural gas industries. This can involve activities such as line cutting, which exposes workers to risks similar to those found in logging and seismic testing. Other types of in-the-field testing are compulsory because testing is generally part of the manufacturing process. Survey work is integral to the mining and construction industries because surveys are required before any construction activity starts.

- In 2006, forty-six employers in this industry, out of about forty-eight in Manitoba, had voluntary WCB coverage.

- Mining exploration, oil and gas exploration, oil well surveying and prospecting are compulsory in all other jurisdictions. Mineral, GPS, seismic and hydrographic surveying is compulsory in all jurisdictions except Manitoba and Nova Scotia.

Responses from the Exploration, Survey and Prospecting Industry

The WCB did not receive any responses about this industry from employers, workers, or organizations representing workers in this sector.

Manufacturing Sector

Mushroom Plants

- The operation of mushroom plants includes the cultivation, cleaning, sorting, grading, and packaging of mushrooms in temperature and humidity controlled buildings.

- These processes are similar to those of a manufacturing plant, such as a packing house or food processing plant.

- There is only one mushroom plant in Manitoba. It has been considered non-compulsory because it grows and then packages a food product. If it only packaged a food product, it would have been considered compulsory. In 2006, this employer had voluntary coverage.

- Mushroom plants are compulsory in all jurisdictions except Manitoba and Alberta.

Responses from the Mushroom Plant Industry

The WCB did not receive any responses about this industry from employers, workers, or organizations representing workers in this sector.

Taxidermy

- Taxidermy includes the processing of pelts, construction of fiberglass forms, and the making of fur rugs.

- An animal pelt or skin has to go through a manufacturing process in order for it to be preserved and positioned appropriately. Workers are exposed to chemical hazards and are exposed to the same kinds of injuries as those that occur in the meat packing industry. Taxidermy is similar to operating a tannery, which is compulsory.

- In 2006, three employers in this industry, out of about twenty-five in Manitoba, have voluntary WCB coverage.

- Taxidermy is compulsory in all jurisdictions except Manitoba, Ontario and Nova Scotia.

Responses from the Taxidermy Industry

The WCB did not receive any responses about this industry from employers, workers, or organizations representing workers in this sector.

Testing Labs

- Testing labs perform various tests on manufactured products under the controlled environment of a laboratory.
- Testing undertaken by a manufacturer, either as part of the development of a product or part of quality assurance, is compulsory. However, product testing that is done in a testing lab under contract for a manufacturer is not compulsory.
- In 2006, twelve employers in this industry, out of about fifty in Manitoba, had voluntary WCB coverage.
- All testing labs are compulsory in all jurisdictions except Alberta, Manitoba, Nova Scotia and Ontario. In Ontario, only research and development labs, non-medical biologists and pressure testing are compulsory.

Responses from the Testing Lab Industry

The WCB did not receive any responses about this industry from employers, workers, or organizations representing workers in this sector.

Construction Sector

Land Surveying

- This industry includes any land surveying by a ground crew.
- Land surveying is a component of construction and mining.
- In 2006, eleven employers in this industry, out of about fifteen in Manitoba, had voluntary WCB coverage.
- Land surveying is compulsory in all jurisdictions except Manitoba and Nova Scotia.

Responses from the Land Surveying Industry

The WCB received a response from an association representing employers in the land surveying industry. This organization did not support the expansion of coverage to related industries because its members already have a mix of WCB and private coverage. In its view, private insurance is preferable and less expensive than WCB insurance.

Landscaping Activities

- Landscaping activities include yard maintenance, grass cutting, snow removal by shovel, plant rental, sod farming, sod laying, chemical spraying for yard care, tree/shrub maintenance, earth moving and shaping using front-end loaders and bulldozers.

- In addition to the planting of trees and shrubs and repairing lawns, many landscaping firms install sidewalks, retaining walls, decks, fences and even game courts. This is in direct competition with construction companies. Also, construction companies that haul sand or gravel for road construction are compulsory, but when a landscaper hauls sand or gravel for a landscape project, it is not compulsory. Landscapers who use their equipment in the summer to haul soil, sand or gravel are not covered, but if they use the same equipment to haul snow in the winter, they are required to have coverage because snow removal is compulsory.

- In 2006, 194 employers in this industry, out of about four hundred in Manitoba, had voluntary WCB coverage.

- Landscape contractors, lawn and grounds maintenance, tree service/arborists and sod and sodding services/hydro seeding are compulsory in all jurisdictions except Manitoba (in Ontario, sod and sodding services/hydro seeding are compulsory when part of lawn and grounds maintenance). Landscape design is compulsory in all jurisdictions except Alberta, Manitoba, Nova Scotia and Ontario.

Responses from the Landscaping Industry

An association representing employers in the landscaping industry was of the view that voluntary coverage in that industry should continue. This association suggested that employers should be allowed to opt out of WCB coverage if they have "adequate alternative coverage."

One employer in the landscaping industry made a submission. This employer has elected to purchase private insurance which it believes is more

comprehensive than WCB coverage. This employer is of the view that WCB coverage for landscapers should remain voluntary.

One association representing employers in construction supported the extension of compulsory coverage to landscaping.

Operation of Buildings/Property Management, Churches

- This category includes managing space for commercial or religious use or for personal occupancy and includes the management of apartments and condominiums. This classification does not include clergy, as they are excluded from compulsory coverage by regulation. Clergy may apply for voluntary coverage.

- Managing a building involves janitorial work and maintenance staff engaged in plumbing, electrical, drywall and painting repairs and renovations. These individuals would be required to have coverage if they were employed full time at their trade. (Artisans and mechanics are compulsory.)

- In 2006, 438 employers in this industry, out of about five hundred in Manitoba, had voluntary WCB coverage.

- The operation of banquet rooms, halls and auditoriums, and office buildings is compulsory in every jurisdiction except Manitoba and Nova Scotia. The operation of apartment buildings or rental housing is compulsory in every jurisdiction except Alberta, Manitoba and Nova Scotia. Facilities management and support is compulsory in every jurisdiction except Manitoba, Nova Scotia, and Ontario. The operation of condominiums or religious organizations is compulsory in every jurisdiction except Alberta, Manitoba, Nova Scotia, and Ontario.

Responses from the Building/Property Management, Churches Industry

One employer association, having consulted with employers in this industry, supported the extension of compulsory coverage to building and property management, but not to the operation of churches.

The WCB received submissions from three religious organizations. All were of the view that coverage should not be extended to the operation of churches because church employees are generally clerical workers who are not exposed to risk. Not all employ janitorial staff.

Window Cleaning (Exterior)

- Interior window cleaning is part of janitorial work and is compulsory. Exterior window cleaning requires the use of equipment similar to that used by construction companies when performing work at high elevations.

- If the window had to be repaired from the outside at a high elevation, the worker would be covered compulsorily. However, if the window needed to be cleaned, the worker would not be covered compulsorily.

- In 2006, fifteen employers in this industry, out of about twenty in Manitoba, had voluntary WCB coverage.

- Exterior window cleaning is compulsory in every jurisdiction except Manitoba.

Responses from the Window Cleaning (Exterior) Industry

The WCB did not receive any responses about this industry from employers, workers, or organizations representing workers in this sector.

Transportation Sector

Aviation/Flying

- Aviation/flying includes aerial spraying, flying clubs, aerial fire fighting, air ambulance, aerial surveying, commercial airlines, and commercial helicopter flying.

- Aviation/flying is the only portion of the transportation industry that does not have compulsory coverage. Air Canada is the largest air transportation employer in Manitoba and has coverage as a self-insured employer. Workers who are employed by local carriers are not covered, although they perform the same type of work as those employed by the largest national carrier. The main reason aviation/flying was not made compulsory in 1917 was because aviation was a nascent industry and was not a major component of the economy.

- Workers employed by commercial airlines are exposed to lifting, carrying, pushing and pulling and those employed in aerial spraying are exposed to lifting and moving spray containers.

- In 2006, forty-seven employers in this industry, out of about one hundred in Manitoba, had voluntary WCB coverage.

- All parts of aviation/flying are compulsory in every jurisdiction except Manitoba, with the following exceptions: in Ontario, only helicopter charter, hang gliding,

manned balloons and skydiving and parachute jumping are voluntary; in Nova Scotia, only airline companies, air cargo service, helicopter charter and air ambulance service are compulsory.

Responses from the Aviation/Flying Industry

The WCB did not receive any responses about this industry from employers, workers, or organizations representing workers in this sector.

Driving Schools

- There are primarily two types of driving schools: automobile driving schools and transport driver training schools, many of which are owned by trucking companies. Teachers at automobile driving schools are exposed to the hazards of the road just like taxi drivers and couriers. Other occupations in similar circumstances have the option of Manitoba Public Insurance or WCB, but not driving schools. Teachers at transport driver training schools are also exposed to the hazards of the road, just like large tractor trailer truck drivers.

- In 2006, one employer in this industry, out of about fifty in Manitoba, had voluntary WCB coverage.

- Driving schools are compulsory in every jurisdiction except Manitoba, Ontario and Nova Scotia.

Responses from the Driving School Industry

The WCB received a submission from one driving-school operator. This individual did not support extending coverage to this industry on the basis that driving-school workers are already covered by Manitoba Public Insurance in the event of a motor vehicle accident.

Freight, Shipping, Custom Brokers

- This industry includes customs brokers, forwarders, and cross-border logistics.

- Individuals in this industry perform the paper work required before commodities are allowed to cross the Canada-United States boundary. These activities are similar to those of office workers in the transportation industry. Workers are engaged in primarily computer work and would be exposed to carpal tunnel or similar repetitive strain injuries. If these individuals were employed by a trucking company they would be considered as compulsory.

- In 2006, two employers in this industry, out of about one hundred in Manitoba, had voluntary WCB coverage.

- Freight consolidating, freight forwarding and freight brokers and agents are compulsory in every jurisdiction except Manitoba and Alberta. Customs consultants and brokers are compulsory in every jurisdiction except Manitoba, Alberta and Ontario.

Responses from the Freight, Shipping, and Customs Brokers Industry

Two customs brokerage firms made submissions. They both indicated that, as customs brokers work in an office environment, the risk of injury is low and WCB coverage is unnecessary.

Motor Associations

- Motor associations are clubs that provide tow truck and other services to members. Roadside service and towing conducted by such clubs is the same as that done by tow trucks for the general population.

- Motor associations offer towing services in most locations in Manitoba, and travel services only at Winnipeg locations. This is similar to the worker split at cartage trucking companies where, in addition to drivers, they employ significant staff involved in paper work. Trucking companies are required to register all of their staff, including workers at a head office.

- One tow-truck company agreed that motor associations, who compete directly with tow-truck companies, should be made compulsory to eliminate the competitive advantage enjoyed by motor associations.

- Motor associations are compulsory in every jurisdiction except Manitoba and Alberta.

Responses from Motor Associations

An employer association, having consulted with employers in this industry, is of the view that motor associations should remain voluntary, reporting that only 15% of the employees of the Canadian Automobile Association are involved in towing operations.

Trade Sector

Car and Truck Rental

- The rental of vehicles is similar to the operation of a car dealership. The majority of a car/truck dealership's revenue is now associated with lease arrangements. At the end of the lease, many individuals choose to buy the

vehicle. This is similar to a rental firm that originally rents but then sells off its vehicles to make room for new models.

- In 2006, ten employers in this industry, out of about fifty in Manitoba, had voluntary WCB coverage.

- Car and truck rental is compulsory in every jurisdiction except Manitoba.

Responses from the Car and Truck Rental Industry

The WCB received one response from an employer in this industry. This employer, who currently has voluntary WCB coverage, suggested that the work undertaken at car and truck rental companies is more similar to the work performed in the retail industry than at car dealerships, particularly because no automotive service work is performed.

An employer association, having consulted employers in this industry, is of the view that car and truck rental establishments should remain voluntary as their employees are not engaged in service work, which is the source of risk for car dealership employees.

Mail Order/Catalogue/Direct Sales

- This category includes retail or wholesale sales by employers who do not have a stock of goods. (For example, this category includes an employer who ships an item from out-of-province to a customer who ordered it from a catalogue.)

- This activity is one of only a few parts of retail sales that is non-compulsory.

- In 2006, one employer in this industry, out of about fifty in Manitoba, had voluntary WCB coverage.

- Mail order and catalogue shopping and catalogue showrooms are compulsory in every jurisdiction except Manitoba, Alberta and Nova Scotia. Internet commerce is compulsory in all jurisdictions except Manitoba, Alberta, Ontario and Nova Scotia.

Responses from the Mail Order/Catalogue/Direct Sales Industry

An employer association, having consulted with employers in this industry, is of the view that mail order/catalogue/direct sales should remain voluntary as employees do not handle stock.

Marketing, Advertising and Media Representatives, Brokers, Sales Agents, Manufacturing Representatives

- This category includes the promotion of retail or wholesale merchandise by employers who do not have a stock of goods. This industry includes firms that promote their own goods (e.g., pharmaceutical, cosmetic, and brewery representatives) and those that promote other firms' goods (examples are employers that demonstrate various foods or goods in malls or stores, or perhaps for a single department store or supermarket chain).

- This activity is one of only a few parts of retail sales that is non-compulsory.

- In 2006, eight employers in this industry, out of about one hundred in Manitoba, had voluntary WCB coverage.

- Advertising agencies and all-media advertising are compulsory in every jurisdiction except Alberta, Manitoba, and Nova Scotia. Publication consultants, media brokers, distributing services and publicity services are compulsory in every jurisdiction except Alberta, Manitoba, Ontario and Nova Scotia. Brokers, sales agent representatives are compulsory in every jurisdiction except Alberta, Manitoba, Saskatchewan and Nova Scotia.

Responses from the Marketing, Advertising and Media Representatives, Brokers, Sales Agents, Manufacturing Representatives Industry

An umbrella group representing employers in the advertising industry noted that, while sales agents and marketing representatives may promote their own goods or the goods of others' and may be similar to retailing, advertising agencies, public relations services, graphic designers, media buying agencies, media representatives are not involved in these activities.

Two advertising agencies also noted that many disparate activities fall under this category. One of the two did not support extending compulsory coverage to the advertising industry. The other suggested that WCB coverage should remain voluntary so that employers who engage in retail activities can opt for WCB coverage, while those who do not can opt for WCB or private insurance.

Additional Information

As a result of information provided in the written submissions, it is apparent that this industry grouping was defined more broadly than intended.

The "Marketing, Advertising and Media Representatives, Brokers – Advertising" classification includes various segments, including parts that do not retail goods. This consultation on extending coverage was intended to be limited to

those firms that market products in retail locations because their workers are exposed to the same risks as retail workers.

Opticians, Optometrists – Dispensing

- This classification includes three separate occupations:

  Ophthalmologists are doctors who can perform surgery and test vision and write prescriptions for glasses.
  Optometrists are doctors who can examine the eye and prescribe glasses. They cannot perform eye surgery. They can sell glasses.
  Opticians grind lenses to prescription specifications and sell glasses.

  Ophthalmologists and optometrists are members of the medical community. Their patients attend their offices because they require a medical service (e.g., vision testing, glaucoma testing, etc.). Dispensing optometrists and opticians sell corrective lenses, which is part of retail. These employers have a stock of goods and maintain store front operations.

- In 2006, five employers in this industry, out of about one hundred in Manitoba, had voluntary WCB coverage.

- Dispensing opticians are compulsory in every jurisdiction except Manitoba. Optometrists are compulsory in every jurisdiction except Manitoba, Alberta and Nova Scotia and Ontario (in Ontario, a dispensing optometrist is compulsory and non-dispensing optometrists are voluntary).

Responses from the Optician, Optometrist – Dispensing Industry

The WCB received six submissions from employers in this industry (one ophthalmologist, four optometrists and one optician) and two from associations representing employers in this industry. All were opposed to extending coverage to this industry, citing the low-risk of injury in its workplaces. Most indicated that these employers currently carry private insurance for their workers, and several noted that paying WCB premiums would be an added cost of doing business. Industry associations representing employers in this industry, and an umbrella employer association, met separately with WCB officials to ensure that their opinions were fully heard. The umbrella association concurred with the position of the industry associations, adding that the WCB should aggressively market voluntary coverage.

Video Stores

- Included in this category are video stores that rent movies or games to customers. These stores increasingly sell movies and games and foodstuffs, as well. Especially in rural Manitoba, convenience stores frequently rent movies and games.

- Renting movies or games is the same activity as retailing.

- In 2006, nine employers in this industry, out of about 150 in Manitoba, had voluntary WCB coverage.

- Video rental is compulsory in every jurisdiction except Manitoba.

Responses from the Video Store Industry

The WCB received one response representing twenty-three employers in this industry. They were of the view that their industry lacked the risks of retailers in larger products, and that video rental was sufficiently distinct from retail that it should remain a voluntary industry.

Additional Comments Regarding the Rental Industry

This consultation targeted employers in the car and truck rental and video rental industries. These were the only specialty rental firms that were intended to be included in this consultation.

Other specialty rental firms rent a wide range of items, from heavy equipment used in construction to equipment for parties or special events celebrations. These employers are currently non-compulsory and were not included in this consultation. Discussions were raised in the course of this consultation about general rental firms. If compulsory coverage were extended to general rental firms, further consultation with stakeholders in those industries would be required.

Service Sector

Bowling, Billiards, Arcades, Lotteries/Casinos

- This industry includes bowling alleys, billiard parlors, coin-operated video or pinball arcades, indoor miniature golf courses, paintball or laser tag, casinos and lottery ticket booths.

- The majority of employers in this industry advertise that they have a restaurant or that they are a licensed premise. They generally employ youthful workers as short order cooks or as cashiers. The risk of accident is similar to that of any short order restaurant.

  Casinos employ cashiers, restaurant/lounge workers and security personnel. These occupations are covered in most other employment situations. Lottery outlets operated within a convenience store are compulsory but those operated as a stand-alone kiosk in a mall are not compulsory.

- In 2006, twenty-one employers in this industry, out of about 320 in Manitoba, had voluntary WCB coverage.

- Casinos are compulsory in every jurisdiction except Manitoba and Ontario (however, a restaurant within a casino is compulsory in Ontario). Billiard parlors are compulsory in every jurisdiction except Alberta, Manitoba and Ontario. Arcades, bingo halls and video game rooms are compulsory in every jurisdiction except Manitoba, Ontario and Nova Scotia. Bowling centres are compulsory in every jurisdiction except Alberta, Manitoba, Nova Scotia and Ontario (however, a restaurant within a bowling centre is compulsory in Ontario).

Responses from the Bowling, Billiards, Arcades, Lottery/Casino Industry

An employer association, having consulted with employers in this industry, is of the view that bowling, billiards, arcades, lotteries/casinos should remain voluntary as restaurants in bowling allies and billiard halls do not compete with other restaurants and lottery ticket booths and arcades do not operate restaurants.

Cemeteries

- This industry includes human and pet cemeteries and the operation of mausoleums.

- The operation of cemeteries is the only component of the funeral home industry that is not compulsory. Cemetery workers are involved in excavation activities

that are compulsory under other circumstances, as they include the operation of backhoes, the same type of equipment used in construction.

- In 2006, fourteen employers in this industry, out of about fifty in Manitoba, had voluntary WCB coverage.

- Cemetery maintenance is compulsory in every jurisdiction except Manitoba and Ontario.

Responses from the Cemetery Industry

The WCB did not receive any responses about this industry from employers, workers, or organizations representing workers in this sector.

Medical and Dental Services

- This industry includes the offices of physicians, surgeons, chiropractors, dentists, medical clinics, physiotherapists, occupational therapists, audiologists, speech therapists or clinics. These services, when provided at a hospital, are compulsory.

- The largest private medical offices engage medical practitioners from two dozen specialties, and provide patient examinations, diagnostic services, laboratory work, day surgeries and follow-up treatment. These facilities offer services that are similar to those offered at hospitals, but do not provide emergent care and overnight patient care (and the services, such as food and laundry, that overnight care would require).

  Private medical offices may also be run by a single medical practitioner or a small group of medical practitioners in such areas as family medicine or dentistry. These offices provide patient examinations and follow-up treatment, and may provide other services, or contract those services out to other providers (e.g., most dental offices and some medical offices perform x-rays; many medical offices take blood and urine samples but send them to independent medical labs, etc.).

  Private medical offices, regardless of size, employ administrative staff to book appointments, direct patients through the facility, keep records and complete reports, and may employ technical staff such as hygienists, laboratory technicians or nurses.

  Workers at private medical offices can be exposed to hazards such as repetitive motion, bending and lifting, hazardous substances, radiation, infectious diseases, and blood-borne pathogens.

Workers at private medical offices are subject to the same types of injuries as their counterparts in hospitals—the majority being repetitive strain injuries, sprains and strains, and falls.

- In 2006, twenty-three employers in this industry, out of about 2,200 in Manitoba, had voluntary WCB coverage.

- The offices of physicians and surgeons, dentists, chiropractors, podiatrists, naturopathic physicians, speech and hearing therapists, psychotherapists and analysts, physiotherapists and laser surgeons are compulsory in every jurisdiction except Alberta, Manitoba, Nova Scotia and Ontario. Midwives, nurse practitioners, audiologists, acupuncturists, paramedical services and dieticians are compulsory in every jurisdiction except Manitoba, Alberta, and Ontario.

Responses from the Medical and Dental Services Industry

The WCB received fourteen submissions from private medical offices (nine physicians, one dentist, three physiotherapists, one chiropractor) and two submissions from associations representing employers in this industry. All were opposed to extending coverage to this industry, citing the low-risk of injury in its workplaces. Most indicated that these employers currently carry private insurance for their workers, and several noted that paying WCB premiums would be an added cost of doing business. Industry associations representing employers in this industry, and an umbrella employer association, met separately with WCB officials to ensure that their opinions were fully heard. The umbrella association concurred with the position of the industry associations, adding that the WCB should aggressively market voluntary coverage.

Medical Laboratories, X-rays

- This industry includes X-ray or any other medical imaging facilities, bacteriology, haematology, pathology and dental laboratories. These services, when provided at a hospital, are compulsory.

- These employers generally have secretaries/office staff and technical staff. These workers are subject to the same types of injuries as hospital staff who perform the same duties.

- In 2006, nine employers in this industry, out of about fifty in Manitoba, had voluntary WCB coverage.

- Medical labs and x-rays are compulsory in every jurisdiction except Alberta and Manitoba.

Responses from the Medical Laboratory, X-ray Industry

The WCB did not receive any responses about this industry from employers, workers, or organizations representing workers in this sector.

Operation of Day Camps, Playgrounds and Trailer Parks

- This category includes the operation of summer camps, trailer or mobile home parks, campgrounds, ski resorts, playgrounds, amusement parks, way-side parks, water-slide parks, outdoor paintball or laser tag facilities or parks, and miniature golf courses.

- Many of these employers operate restaurants or provide food services. Private campgrounds compete with hotels and motels, and with campgrounds in provincial parks. Campgrounds, trailer and mobile home parks are similar to property management.

- Operators of camps, playgrounds and trailer parks engage in landscaping, property maintenance, and janitorial work in washroom and shower facilities—activities included elsewhere in this consultation as part of landscaping and property management.

- In 2006, fifty-four employers in this industry, out of about 150 in Manitoba, had voluntary WCB coverage.

- The operation of campgrounds is compulsory in every jurisdiction except Manitoba. The operation of mobile home parks and communities is compulsory in every jurisdiction except Manitoba and Nova Scotia. The operation of picnic grounds is compulsory in every jurisdiction except Manitoba, Nova Scotia and Ontario. The operation of baseball batting ranges, mini-golf courses, paint-ball sports, playgrounds and golfing ranges is compulsory in every jurisdiction except Manitoba, Alberta, Nova Scotia and Ontario.

Responses from the Day Camp, Playground and Trailer Park Industry

The WCB did not receive any responses about this industry from employers, workers, or organizations representing workers in this sector.

Private and Community Clubs, Rinks, etc.

- This industry includes private clubs, community clubs, golf courses, curling, and skating rinks.

- Most of these establishments operate restaurants, and many are licensed. The maintenance of the facilities is janitorial work.

- In 2006, 302 employers in this industry, out of about 650 in Manitoba, had voluntary WCB coverage.

- The operation of private and community clubs and rinks is compulsory in every jurisdiction except Alberta, Manitoba, Ontario and Nova Scotia.

Responses from the Private and Community Clubs and Rinks Industry

The WCB received one submission from an employer in this industry. This employer noted only that its operation is run entirely by volunteers.*

Provincial/Regional Employer and Labour Associations

Several industry associations made submissions and their comments are reflected in the summary above. In addition to these industry-specific submissions, the WCB received submissions from two labour associations and two employer associations representing workers and employers across the province and across industries.

Labour Associations

One labour organization was of the view that coverage is incomplete: farmers, teachers and other school employees and office workers are all exposed to risk, but they are not covered. Related industries, such as private clubs, greenhouses and landscapers perform work that is similar to that performed by covered workers, but they are not compulsory. This organization believes every worker in Manitoba should be covered.

This organization recommends that the following steps be taken: First, related industries must be brought under mandatory coverage. This organization indicated that the operation of labour organizations should be included in compulsory coverage at this same time. Secondly, farming and farm-related activities, including family farms that employ workers, should be made compulsory industries. It cited the high injury rate in farming in support of this position.

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* Compulsory employers are not required to provide coverage for volunteers. However, a covered non-profit and charitable organization may apply to obtain optional WCB coverage for its volunteers under certain terms and conditions.

Thirdly, lower risk industries should be made compulsory. This organization believes this process should be done over three years.

A second labour association also expressed the view all industries, including farming, should be compulsory.

Employer Associations

One employer association supports voluntary coverage, but, should compulsory coverage be expanded, is of the view that it be done based on risk factors and injury experience. It made a number of comments regarding coverage for specific industries:

- While not opposed to extending coverage to building and property management, it believes the operation of churches should remain voluntary.
- Motor associations should remain voluntary as only 15% of the employees of the Canadian Automobile Association are involved in towing operations.
- Car and truck rental establishments should remain voluntary as their employees are not engaged in service work, which is the source of risk for car dealership employees.
- Mail order/catalogue/direct sales should remain voluntary as employees do not handle stock.
- Bowling, billiards, arcades, lotteries/casinos should remain voluntary as restaurants in bowling allies and billiard halls do not compete with other restaurants and lottery ticket booths and arcades do not operate restaurants.

Having spoken directly with a number of its members and reviewed the submissions of others, a second employer association also did not support the extension of compulsory coverage.

Afterword

The Workers Compensation Board of Manitoba would like to thank all those who contributed to this public consultation, either by attending a public information session, asking questions and offering advice, or by making a verbal or written submission.

Consulting with our stakeholders on the question of extending WCB coverage recognizes the right of Manitobans to have their voices heard on issues that affect them directly. Stakeholder consultation has generated a variety of ideas. In addition, stakeholder perspectives and insights will assist the Government of Manitoba to better address current realities and stakeholder priorities, needs, and concerns.